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**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:11-cv-00001-DAB-DCF**

Cason v. Central Intelligence Agency
Assigned to: Judge Deborah A. Batts
Referred to: Magistrate Judge Debra C. Freeman
Cause: 05:552(a) Complaint in the Nature of Mandamus

Date Filed: 01/03/2011
Date Terminated: 03/29/2012
Jury Demand: Plaintiff
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Harry T. Cason

represented by **Daniel E. Clifton**
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V.

Defendant

Central Intelligence Agency

represented by **Christopher Blake Harwood**
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Date Filed	#	Docket Text
01/03/2011	1	COMPLAINT against Central Intelligence Agency. (Filing Fee \$ 350.00, Receipt Number 924826)Document filed by Harry T. Cason.(rdz) (Entered: 01/04/2011)
01/03/2011		SUMMONS ISSUED as to Central Intelligence Agency, U.S. Attorney and U.S. Attorney General. (rdz) Modified on 1/4/2011 (rdz). (Entered: 01/04/2011)
01/03/2011		Magistrate Judge Debra C. Freeman is so designated. (rdz) (Entered: 01/04/2011)
02/02/2011	2	SUMMONS RETURNED EXECUTED Summons and Complaint served. Central Intelligence Agency served on 1/12/2011, answer due 3/14/2011. Service was made by certified mail. Document filed by Harry T. Cason. (mro) (Entered: 02/03/2011)
02/14/2011	3	ORDER: Now before the Court is an Order to Show Cause for Preliminary Injunction and Temporary Restraining Order brought by Pro Se Plaintiff on 2/14/2011 and which is attached hereto. In bringing his Order to Show Cause, Pro Se Plaintiff seeks to restrain Defendant from suspending his intra-agency administrative appeal, brought under the Freedom of Information Act, during the pendency of this action. Pro Se Plaintiff's Order to Show Cause is DENIED as without merit. See 32 C.F.R. 1900.42(c) ([N]o appeal [seeking CIA records under the Freedom of Information Act] shall be accepted if the information in question... is the subject of pending litigation in the federal courts."). (Signed by Judge Deborah A. Batts on 2/14/2011) (ab) (Entered: 02/14/2011)

02/14/2011	<u>4</u>	ANSWER to Complaint. Document filed by Central Intelligence Agency.(mro) (Entered: 02/15/2011)
02/16/2011	<u>5</u>	ORDER: Harry T. Cason, you are the pro se Plaintiff in the above captioned case, which has been assigned to this Court for all purposes. All correspondence relating to this case should be directed to the Pro Se Office, U.S. Courthouse, 500 Pearl Street, New York, New York 10007-1312. No correspondence shall be sent directly to the Court. You shall review the Federal Rules of Civil Procedure. While this action is pending, it is the responsibility of the pro se Plaintiff immediately to inform the Court, through the Pro Se Office, of any changes of address. In a separate order, the Court will be referring this action to Magistrate Judge Debra C. Freeman for general pretrial and a report and recommendation for any dispositive motions that may be filed. So Ordered (Signed by Judge Deborah A. Batts on 2/16/2011) (js) (Entered: 02/16/2011)
02/16/2011	<u>6</u>	ORDER OF REFERENCE TO A MAGISTRATE JUDGE: Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for General pretrial(includes scheduling, discovery non-dispositive pretrial motions, and settlement) Dispositive Motion (i.e., motion requiring a Report and Recommendation). Referred to Magistrate Judge Debra C. Freeman. (Signed by Judge Deborah A. Batts on 2/16/2011) (js) (Entered: 02/16/2011)
02/17/2011	<u>7</u>	AFFIRMATION of Harry T. Cason. Document filed by Harry T. Cason. (mro) (Entered: 02/22/2011)
02/17/2011	<u>8</u>	UNSIGNED ORDER TO SHOW CAUSE filed by Harry T. Cason. (mro) (Entered: 02/22/2011)
03/03/2011	<u>9</u>	SCHEDULING ORDER: Initial Status Conference set for 3/23/2011 at 10:30 AM in Courtroom 17A, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Debra C. Freeman. If Plaintiff needs assistance in understanding any of the procedural rules of this Court, or any aspect of this Order, Plaintiff is encouraged to contact the Court's Pro Se Office, 500 Pearl Street, Room 230, New York, New York 10007. The telephone number for the Pro Se Office is (212) 805-0175. (Signed by Magistrate Judge Debra C. Freeman on 3/2/2011) Copies Mailed By Chambers. (jpo) (Entered: 03/03/2011)
03/17/2011	<u>10</u>	NOTICE OF APPEARANCE by Daniel E. Clifton on behalf of Harry T. Cason (Clifton, Daniel) (Entered: 03/17/2011)
03/23/2011	<u>11</u>	ENDORSED LETTER addressed to Magistrate Judge Debra C. Freeman from Daniel E. Clifton, Christopher B. Harwood dated 3/22/2011 re: The parties' counsel have agreed to the following briefing schedule: The CIA will file a motion for summary judgment on or before 4/21/2011. Cason will file an opposition to the CIA's motion for summary judgment and his cross-motion for summary judgment on or before 5/23/2011. The CIA will file its reply/opposition to Cason's motion or before 6/17/2011. Cason will file a reply on or before 7/8/2011. ENDORSEMENT: SO ORDERED. (Signed by Magistrate Judge Debra C. Freeman on 3/23/2011) (tro)

		(Entered: 03/23/2011)
04/12/2011	12	MOTION for Michael T. Kirkpatrick to Appear Pro Hac Vice. Document filed by Harry T. Cason.(tro) (Entered: 04/19/2011)
04/12/2011	13	MOTION for Michael H. Page to Appear Pro Hac Vice. Document filed by Harry T. Cason.(tro) (Entered: 04/19/2011)
04/19/2011	14	ENDORSED LETTER: addressed to Magistrate Judge Debra C. Freeman from Christopher B. Harwood dated 4/19/2011 re: undersigned counsel respectfully requests that: (1) the CIA's deadline to file its motion for summary judgment be extended by one week to April 28, 2011; and (2) the other briefing deadlines also be extended by one week to May 30, 2011, June 24, 2011) and July 15, 2011, respectively. This is the CIA's first request for an extension of any kind in this case. Plaintiff has consented to this request. ENDORSEMENT: Granted. So Ordered. (Signed by Magistrate Judge Debra C. Freeman on 4/19/11) (js) (Entered: 04/19/2011)
04/20/2011		CASHIERS OFFICE REMARK on 12 Motion to Appear Pro Hac Vice, 13 Motion to Appear Pro Hac Vice in the amount of \$50.00, paid on 04/12/2011, Receipt Number 3817. (jd) (Entered: 04/20/2011)
04/28/2011	15	MOTION for Summary Judgment. Document filed by Central Intelligence Agency. (mbe) (Entered: 05/02/2011)
04/28/2011	16	MEMORANDUM OF LAW in Support re: 15 MOTION for Summary Judgment. Document filed by Central Intelligence Agency. (mbe) (Entered: 05/02/2011)
04/28/2011	17	DECLARATION of Karen T. Pratzner. Document filed by Central Intelligence Agency. (mbe) (Entered: 05/02/2011)
05/09/2011	18	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION granting 13 Motion for Michael H. Page to Appear Pro Hac Vice for Harry T. Cason. (Signed by Judge Deborah A. Batts on 5/9/11) (jmi) (Entered: 05/10/2011)
05/09/2011	19	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION granting 12 Motion for Michael T. Kirkpatrick to Appear Pro Hac Vice for Plaintiff Harry T. Cason. (Signed by Judge Deborah A. Batts on 5/9/11) (jmi) (Entered: 05/10/2011)
05/30/2011	20	FILING ERROR - DEFICIENT DOCKET ENTRY - FIRST MOTION for Partial Summary Judgment. Document filed by Harry T. Cason. (Attachments: # 1 Supplement Statement of Undisputed Facts, # 2 Exhibit Exhibit 1, # 3 Exhibit Exhibit 2)(Page, Michael) Modified on 5/31/2011 (db). (Entered: 05/30/2011)

05/30/2011	21	FILING ERROR - DEFICIENT DOCKET ENTRY - FIRST MEMORANDUM OF LAW in Opposition re: 15 MOTION for Summary Judgment. Document filed by Harry T. Cason. (Attachments: # 1 Exhibit Exhibit 1, # 2 Exhibit Exhibit 2)(Page, Michael) Modified on 5/31/2011 (db). (Entered: 05/30/2011)
05/30/2011		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Michael H. Page to RE-FILE Document 20 FIRST MOTION for Partial Summary Judgment. ERROR(S): Supporting Documents are filed separately, each receiving their own document #. Rule 56.1 Statement is found under the Event Type - Other Answers. (db) (Entered: 05/31/2011)
05/30/2011		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Michael H. Page to RE-FILE Document 21 Memorandum of Law in Opposition to Motion. ERROR(S): Document linked to filing error. (db) (Entered: 05/31/2011)
05/31/2011	22	FILING ERROR - DEFICIENT DOCKET ENTRY - FIRST MOTION for Partial Summary Judgment. Document filed by Harry T. Cason. (Attachments: # 1 Statement of Undisputed Facts, # 2 Memorandum of Law, # 3 Exhibit Exhibit 1, # 4 Exhibit Exhibit 2)(Page, Michael) Modified on 5/31/2011 (db). (Entered: 05/31/2011)
06/08/2011	23	FIRST MOTION for Partial Summary Judgment. Document filed by Harry T. Cason. (Page, Michael) (Entered: 06/08/2011)
06/08/2011	24	FIRST MEMORANDUM OF LAW in Support re: 23 FIRST MOTION for Partial Summary Judgment.. Document filed by Harry T. Cason. (Attachments: # 1 Exhibit Exhibit 1, # 2 Exhibit Exhibit 2)(Page, Michael) (Entered: 06/08/2011)
06/08/2011	25	RULE 56.1 STATEMENT. Document filed by Harry T. Cason. (Page, Michael) (Entered: 06/08/2011)
06/24/2011	26	ENDORSED LETTER addressed to Magistrate Judge Debra C. Freeman from Christopher B. Harwood dated 6/20/2011 re: Requesting that : (1) the CIA's deadline to file its reply and opposition be extended by six days, to June 30, 2011; and (2) Plaintiff's deadline to file his reply also be extended by six days, to July 21, 2011. ENDORSEMENT: So Ordered. (Signed by Magistrate Judge Debra C. Freeman on 6/24/2011) (jpo) (Entered: 06/27/2011)
06/30/2011	27	FILING ERROR - DEFICIENT DOCKET ENTRY - REPLY MEMORANDUM OF LAW in Support re: 15 MOTION for Summary Judgment. Document filed by Central Intelligence Agency. (Attachments: # 1 Supplemental Declaration of Karen Pratzner, # 2 Rule 56.1 Counterstatement)(Harwood, Christopher) Modified on 7/1/2011 (ldi). (Entered: 06/30/2011)

06/30/2011	28	FILING ERROR - DEFICIENT DOCKET ENTRY - REPLY MEMORANDUM OF LAW in Opposition re: 23 FIRST MOTION for Partial Summary Judgment.. Document filed by Central Intelligence Agency. (Attachments: # 1 Supplemental Declaration of Karen Pratzner, # 2 Rule 56.1 Counterstatement)(Harwood, Christopher) Modified on 7/1/2011 (ldi). (Entered: 06/30/2011)
06/30/2011		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Christopher Blake Harwood to RE-FILE Document 27 Reply Memorandum of Law in Support of Motion, 28 Reply Memorandum of Law in Oppisition to Motion. ERROR(S): Supporting/Opposing documents must be filed separately, each receiving their own document number. Declaration in Support or Opposition to Motion is found under the event list Replies, Opposition and Supporting Documents. Counter Statement to Rule 56.1 is found under Other Answers. (ldi) (Entered: 07/01/2011)
07/01/2011	29	REPLY MEMORANDUM OF LAW in Support re: 15 MOTION for Summary Judgment.. Document filed by Central Intelligence Agency. (Harwood, Christopher) (Entered: 07/01/2011)
07/01/2011	30	DECLARATION of Karen T. Pratzner in Support re: 15 MOTION for Summary Judgment.. Document filed by Central Intelligence Agency. (Harwood, Christopher) (Entered: 07/01/2011)
07/01/2011	31	REPLY MEMORANDUM OF LAW in Opposition re: 23 FIRST MOTION for Partial Summary Judgment.. Document filed by Central Intelligence Agency. (Harwood, Christopher) (Entered: 07/01/2011)
07/01/2011	32	COUNTER STATEMENT TO 25 Rule 56.1 Statement. Document filed by Central Intelligence Agency. (Harwood, Christopher) (Entered: 07/01/2011)
07/01/2011	33	DECLARATION of Karen T. Pratzner in Opposition re: 23 FIRST MOTION for Partial Summary Judgment.. Document filed by Central Intelligence Agency. (Harwood, Christopher) (Entered: 07/01/2011)
07/20/2011	34	FIRST REPLY MEMORANDUM OF LAW in Support re: 23 FIRST MOTION for Partial Summary Judgment.. Document filed by Harry T. Cason. (Attachments: # 1 Exhibit Exhibit 1, # 2 Exhibit Exhibit 2)(Page, Michael) (Entered: 07/20/2011)
10/28/2011		***DELETED DOCUMENT. Deleted document number 35 Judgment. The document was incorrectly filed in this case. (dt) (Entered: 10/28/2011)
10/28/2011	35	NOTICE of Withdrawal of Michael H. Page as Counsel for Plaintiff. Document filed by Harry T. Cason. (Kirkpatrick, Michael) (Entered: 10/28/2011)
02/14/2012	36	ORDER: In light of the above, Defendant is directed to make a supplemental submission, no later than February 21, 2012, addressing the first two requirements of

		Executive Order 12,958, as they apply to the redactions to the 1952 Report, and detailing for the Court which specific redactions were made pursuant to which FOIA exemptions. Upon receiving the supplemental submission, this Court will issue a Report and Recommendation concerning the parties' pending motions for summary judgment. (Signed by Magistrate Judge Debra C. Freeman on 2/14/2012) (rdz) Copies Sent by Chambers. Modified on 2/15/2012 (rdz). (Entered: 02/15/2012)
02/21/2012	37	NOTICE of Filing of Supplemental Declaration. Document filed by Central Intelligence Agency. (Attachments: # 1 Supplemental Declaration of Elizabeth Anne Culver)(Harwood, Christopher) (Entered: 02/21/2012)
02/28/2012	38	REPORT AND RECOMMENDATIONS: For the foregoing reasons, I respectfully recommend granting Defendants motion for summary judgment (Dkt. 15) and denying Plaintiffs motion for partial summary judgment (Dkt. 23). Objections to R&R due by 3/16/2012. (Signed by Magistrate Judge Deborah C. Freeman on 2/28/2012) (dj) Modified on 3/16/2012 (dj). (Entered: 02/29/2012)
02/28/2012		Motion No Longer Referred: re: 23 FIRST MOTION for Partial Summary Judgment. filed by Harry T. Cason. (dj) (Entered: 02/29/2012)
02/28/2012		Minute Entry for proceedings held before Magistrate Judge James C. Francis: Settlement Conference held on 2/28/2012. (dj) (Entered: 03/06/2012)
02/28/2012		Motion No Longer Referred: re: 15 MOTION for Summary Judgment. filed by Central Intelligence Agency. (dj) (Entered: 03/27/2012)
03/13/2012	39	ENDORSED LETTER addressed to Judge Deborah A Batts from Michael T Kirkpatrick dated 3/12/2012 re: Request to extend time to and including 3/26/2012 to file objections to the Report and Recommendation. ENDORSEMENT: So Ordered. (Objections to R&R due by 3/26/2012) (Signed by Judge Deborah A. Batts on 3/13/2012) (cd) (Entered: 03/13/2012)
03/26/2012	40	OBJECTION to 38 Report and Recommendations Document filed by Harry T. Cason. (Kirkpatrick, Michael) (Entered: 03/26/2012)
03/29/2012	41	ORDER: Having conducted the appropriate levels of review of the Report and Recommendation of United States Magistrate Judge Debra C. Freeman dated February 28, 2012, this Court APPROVES, ADOPTS, and RATIFIES the Report in its entirety. Accordingly, Plaintiff's Motion for Partial Summary Judgment (Docket No. 23) is hereby DENIED, and Defendant's Motion for Summary Judgment (Docket No. 15) is hereby GRANTED. The Clerk of Court is directed to close the docket in this case. (Signed by Judge Deborah A. Batts on 3/29/2012) (js) (Entered: 03/29/2012)
03/29/2012		Transmission to Judgments and Orders Clerk. Transmitted re: 41 Order on Motion for Summary Judgment, Order on Motion for Partial Summary Judgment,,,,, to the

		Judgments and Orders Clerk. (js) (Entered: 03/29/2012)
03/29/2012	42	CLERK'S JUDGMENT That for the reasons stated in the Court's Order dated March 29, 2012, the Report is adopted in its entirety; Plaintiff's Motion for Partial Summary Judgment is denied, and Defendant's Motion for Summary Judgment is granted; accordingly, the case is closed. (Signed by Clerk of Court Ruby Krajick on 3/29/12) (Attachments: # 1 notice of right to appeal)(ml) (Entered: 03/29/2012)
03/29/2012		Transmission to Docket Assistant Clerk. Transmitted re: 42 Clerk's Judgment,, to the Docket Assistant Clerk for case processing. (ml) (Entered: 03/29/2012)
03/29/2012		Mailed notice of Right to Appeal re: 42 Clerk's Judgment, to Pro Se Litigant(s): Harry T. Cason and to Attorney(s) of Record: Daniel E. Clifton, Michael T Kirkpatrick, Michael H. Page, Christopher Blake Harwood. (eef) (Entered: 03/30/2012)

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